

Remarks

Reconsideration of this Application is respectfully requested.

Claims 1-8 are pending in the application, with claims 1 and 7 being the independent claims. Based on the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Double Patenting

Claims 1 and 7 of the present application stand provisionally rejected under obviousness-type double patenting as being allegedly unpatentable over claims 1 and 7 of U.S. Pat. No. 6,629,888 ("the '888 patent"). Applicants respectfully traverse. As acknowledged by the Examiner, the '888 patent claims do not include the element: "wherein said game piece includes a selectively camouflaged image **covered by a dull coating that reduces at least one of the reflectivity of a substrate of the game piece and the contrast between the substrate and the camouflaged image.**" See, Office Action, p. 4-5. Rather, the Examiner asserts that it would have been obvious, at the time of the invention, to add a coating or dull coating so as to obscure the game piece image. Applicants respectfully disagree with the Examiner's assertion that such a feature would be obvious.

As discussed in the specification of the present application, the generic concept of using dull coatings to enhance the appearance and durability of printed matter was known at the time of the invention. However, the prior existence of generic dull coatings does not render obvious a specific dull coating that reduces at least one of the reflectivity

of a substrate of a game piece and the contrast between the substrate and the camouflaged image, as recited in claim 1. Indeed, some dull coatings used merely to enhance the appearance and durability of printed matter might be too opaque to reduce at least one of the reflectivity of the substrate of the game piece and the contrast between the substrate and the camouflaged image, as recited in claim 1.

The Examiner also alleges that it was customary in the art to obscure certain objects by chromatic camouflage, and use chromatic filters to view the obscured objects. *See, Office Action, p. 5.* Applicants see no link between the use of the use of chromatic camouflage and the likelihood that one of skill in the art would use a dull coating to cover a camouflaged image, where in the dull coating reduces at least one of the reflectivity of the substrate of the game piece and the contrast between the substrate and the camouflaged image. Further, Applicants assert that it would not have been obvious to one of skill in the art at the time of the invention to make such a link.

Accordingly, Applicants respectfully submit that claims 1 and 7 are not obvious based on the claims of the '888 patent. Claims 2-6 and 8 depend from claims 1 and 7, respectively, and are patentable over the claims of the '888 patent for at least the reasons discussed above. Reconsideration and withdrawal of the obviousness-type double patenting rejection based on the '888 patent are respectfully requested.

Rejections under 35 U.S.C. § 103

Claims 1-8 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Ray, Debra, in an article “FASTBALL.com’s ‘Decode & Win Game’”, published in November 1997. Applicants respectfully traverse.

As acknowledged by the Examiner, the FASTBALL.com articles does not include the feature: "wherein said game piece includes a selectively camouflaged image **covered by a dull coating that reduces at least one of the reflectivity of a substrate of the game piece and the contrast between the substrate and the camouflaged image.**" *See*, Office Action, p. 8. Rather, the Examiner asserts that it would have been obvious, at the time of the invention, to cover a camouflaged game piece with a coating or dull coating so as to obscure the game piece image. As discussed above with respect to the double patenting rejection, Applicants respectfully submit that it would not have been obvious to use a specific dull coating that reduces at least one of the reflectivity of a substrate of the game piece and the contrast between the substrate and the camouflaged image, as recited in claim 1. Reconsideration and withdrawal of the rejection of claims 1-8 are respectfully requested.

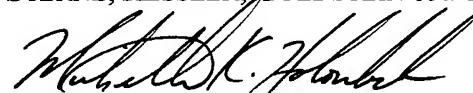
Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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